

Appln No. 10/642,962
Sameer DESAI
Office Action dated November 24, 2004

REMARKS/ARGUMENTS

The Examiner is thanked for the Official Action dated November 24, 2004. This amendment is intended to be fully responsive thereto.
New claim 19 has been added which now depends on newly amended claim 2.

Specification Objections

1. In response to the Examiner's objection to the specification, the following changes in the specification have been made:

Page 1, line 16, a "d" has been added so "dislodge" now reads "dislodged".
Page 10, line 19, the word "restrict" has been added after the term "as well as" to now read, "may allow motion as well as restrict motion".

Priority

2. Applicant has inserted the priority data on page 1, line 3, of the present specification, to claim priority under 35 USC119(e) on a previously filed application, as indicated on the patent filing information sheet, so that it now reads as follows: the application claims priority of provisional application 60/485,895, filed July 9, 2003.

Claim Rejections

3-4. The Examiner rejected claims under 35 USC 112 as : being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention", specifically for omitting essential structural cooperative relationships of elements" The present claims have been amended to include how the relative structural components of the first attachment component cooperate with those of the second attachment component, thus overcoming this rejection.

Claim Objections

5. Claims 1, 13 and 18 were objected to because the article "a" was not present before all components, and because lines 4-5 of claim 13 "should be changed to avoid antecedent basis problem...". Applicant contends that new claims 1, 13 and 18 have been amended

AppIn No. 10/642,962
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to avoid any antecedent basis problems by adding the required "second component" and "bracket language to the claims".

6. Claim 11 was objected to for formatting reasons: claim 8 on which claim 11 dependent, has been amended to provide for antecedent basis for the alignment element.

Claim Rejection

7-8. the original claims 1-18 were rejected under 35 USC 102(b) as being anticipated by Mahe et al (US 6,315,034) (Mahe). Applicant respectfully submits that none the present claims, within present limitations, is either anticipated by, or rendered obvious by, the teaching of Mahe or any other prior art reference cited.

a. Claim 1

The Examiner asserts that Mahe shows all components claimed in the present invention. In Mahe, a housing, branches and clip are claimed. Mahe further claims a bridge, which is not described or used as a stop wall, and a structure from which the clip/housing arises. Applicant respectfully contends that the bridge of Mahe is not described or used as a stop wall, as claimed in the present invention, and that stop edge (44) is not a structure from the clip/housing, thus, the present invention differs from that in Mahe.

In addition, Mahe claims a face with lugs that are apparently inflexible structures to which the clip (42) engages, the lug (60) comprises a sloping wall (64) forming a ramps (see column 3, lines 54-57 and column 4, lines 7-14).

The present invention requires a flexible member which is preferably snapping the edge, as part of the first attachment component.

The Examiner has further rejected dependent claims 2-12 and 14-15 based on their additional features.

b. Claims 13

Mahe discloses in column 4, lines 1-8, that its alignment is 'carried out' essentially by a pivoting or swinging movement to set up pins (66) opposite apertures (70) of the stirrups. The present invention slides without need of a pivoting or swinging mount to get alignment, and therefore, again differs from the disclosure of Mahe.

Appln No. 10/642,962

Sameer DESAI

Office Action dated November 24, 2004

- c. Claims 2 and 14 were rejected as not being new over Mahe due to Mahe's aperture (70) which Examiner states can be used for screws. As clearly described in present specification, page 8, lines 6-20, and drawings 2A and 2B, the backup 'holes' for screws (85,81) are separate from the 'opening' formed by the slot walls of the first component. Claim 2 and 14 have been amended to more clearly point out this feature, and Applicant, therefore, asserts that newly amended claim 2 and 14, and their dependent claims 7, 8 and 11, are now both new and unobvious over any of the art cited.
- d. The Examiner had also rejected Claim 3 as being anticipated by Mahe as it shows an attachment component and an alignment element. Mahe's alignment element, however, is not described, and cannot apparently function, as a load bearing element. Claim 3 has been newly amended to particularly point out the load being characterized of the alignment element. Support can be found in the specification, page 3, lines 30-35 and page 8, lines 6-12. Applicant contends that newly amended claim 3 is both new and unobvious over any prior art cited.
- e. The Examiner had previously rejected claims 4, 13 and 18 arguing that Mahe shows a first and second attachment component assembled using a sliding motion. In Mahe, the block (34) appears to be engaged via a pivoting or swinging movement with the U shape stirrups (46) prior to alignment of the components and is not approximately parallel prior and during engagement and no pivot or swinging movement is required. Applicant respectfully asserts, therefore, that present claims 4, 13 and 18 are also neither anticipated nor obvious over the prior art.
- f. The Examiner has rejected claim 5 which depends on claims 1 and 4. Applicant contends that though Mahe can restrict movement, when taken in considerations with newly amended claim 1 and claim 4, that claim 5 is new over Mahe.
- g. The Examiner also rejected claim 15, which is dependent on claim 13, stating that Mahe restricts movement in two directions. Newly amended claim 15 now clearly describes that the flexible member provides pre load to the bracket of the second component, in addition to the restriction of movement limitation. Applicant respectfully contends that new amended claim 13, and its dependent claim 15 are both new and not obvious over Mahe.
- i. Claim 9
- The Examiner has rejected claim 9, arguing that it is anticipated by Fig. 1-4 of Mahe and that the Fuge (60) is fully captured under slot tab 52 of the first attachment component 56. Applicant respectfully contests this reading. The element (52) cited by the Examiner is, in fact, a part of the connection to bridge (48). The lug (60) is not fully captured, it is

Appln No. 10/642,962
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engaged only at the edge (see Fig. 1-4 of Mahe). Applicant has illustrated that its tab (90) fully captures the second component (40) at area (50). This arrangement provides for a more robust, i.e. a sturdier and more resistant performance versus that possible in Mahe.

l. Claim 11

Claim 11 has been amended to reflect the fact that feature 66 (alignment element) is a post or locator post which also serves as a load carrier. Nowhere in Mahe is it taught or described that such a post or locator post can carry load. Support for this amendment is found on page 8, lines 10-14, page 8, lines 30-35. Claim 11 has also been newly amended to depend on claim 8, and, ultimately, claim 2 rendering Examiner's rejection moot, and asserts that this claim is now in condition for allowance.

i. Claim 8

Claim 8 depends on newly amended claim 2, which is now believed in condition for allowance. Applicant therefore respectfully contends that newly amended and clarified claim 8 is now in condition for allowance.

k. Claim 10

Claim 10 has been amended to depend on claim 3, which Applicant asserts is now in condition for allowance, and, respectfully suggest that Examiner's rejection is now moot.

m. Claim 12

The Examiner has suggested that that claim 12 is anticipated by Mahe due to the fact that it is snapped. As presented above, Applicant contends that Mahe does not disclose the limitation of 'fully captured' of claim 9, on which claim 12 is dependent, and that, therefore, claim 12 is new over Mahe.

n. Claim 17

Claim 17 was also rejected over Mahe as being anticipated. However Mahe discloses the curved end 54 of spring clip (42). Such a curved end is clearly not equivalent to slot tab (FIG 2a, 2c of the present description (391), when 50 (Fig. 2A) engages. Therefore, claim 17 is also patentable over Mahe.

Appln No. 10/642,962
Sameer DESAI
Office Action dated November 24, 2004

g. Claims 6-16

The Examiner has rejected claim 6 and 16 stating that Mahe shows restricted movement in at least 4 directions. As claim 6 depends on newly amended claim 1 and claim 16, on claim 15, and, ultimately, newly amended claim 13, Applicant respectfully asserts that the claims are now in condition for allowance, based on the arguments herein above.

h. claim 7

The Examiner also rejected claim 7 as not new as it comprised a flexible member (42) and a snapping edge (54) (Fig. 1-4 of Mahe). In the present invention, newly amended claim 7, now depends on claim 1 and new claim 19 depends on claim 2. The flexible member has a ledge which fits, as can be seen in Fig. 3A and 2A of the present specification, into the opening of the second attachment component, the snapping edge of the Mahe is not designed for, nor does it fit in, an opening of the second component.

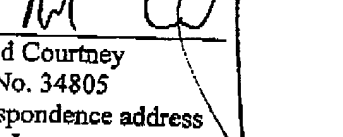
o. Claims 18

Mahe discloses in column 4, lines 1-8, that its alignment is 'carried out' essentially by a pivoting or swinging movement to set up pins (66) opposite apertures (70) of the stirrups. The present invention slides without need of a pivoting or swinging mount to get alignment, and therefore, again differs from the disclosure of Mahe.

Summary

Based on the foregoing, it is respectfully submitted that claims 1-19, in their current forms, define the invention over the prior art of record and are in condition for allowance, and notice to that effect is earnestly solicited. Should the Examiner believe further discussion regarding the above claim language would expedite prosecution, please be invited to contact the undersigned at the number listed below.

Respectfully submitted:

By: 
Ronald Courtney
Reg. No. 34805
Correspondence address
Valeo, Inc.
Intellectual Property Department
4100 North Atlantic Boulevard
Auburn Hills, Michigan 48326
Tel: (248) 209 84 35 - Fax: (248) 209 82 05

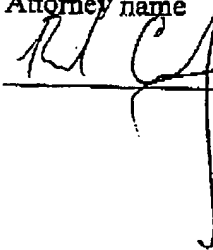
Appln No. 10/642,962

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I hereby certify that this correspondence is being transmitted by
facsimile to The Assistant Commissioner of Patents,
Alexandria VA, 22313-1450 on May 24, 2005.

R. Courtney 34805
Attorney name Registration N.



Signature of Attorney